

**\*\* E-filed July 31, 2009 \*\***

NOT FOR CITATION  
IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

RICK FUTIA,

No. C09-00921 HRL

Plaintiff,

**ORDER OF DISMISSAL**

v.

**[Re: Docket No. 5]**

NATWARLAL M. PANCHAL, GITA N.  
PANCHAL, NATWARLAL PANCHAL and  
GITA PANCHAL, individually and as  
Trustees,

Defendants.

The parties advise that they have entered a full settlement in the above-entitled action and have stipulated to dismissal.

IT IS HEREBY ORDERED that this action is dismissed with prejudice. However, if any party certifies to this court, no later than January 31, 2011, with proof of service of a copy on the other party, that the agreed consideration for the settlement has not been delivered or that the settlement has not been consummated as agreed, the foregoing ORDER SHALL STAND VACATED and this action shall be restored to the calendar and be set for trial.

Dated: July 31, 2009

  
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HOWARD E. LLOYD  
UNITED STATES MAGISTRATE JUDGE

**C 09-00921 Notice will be electronically mailed to:**

Thomas Nelson Stewart, III t\_stew\_3@yahoo.com

**Counsel are responsible for distributing copies of this document to co-counsel who have not registered for e-filing under the court's CM/ECF program.**